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The trial of Mrs. Fair, the last in the volume, is one illustration (it would have been only too easy to find others) of the disposition of American juries to acquit women of offences in general, and of the murder of men in particular, in the teeth of the facts and the law. Blackstone speaks of the tender consideration which the laws of England have for the female sex; a tenderness, however, which has not extended to a conclusive presumption of innocence, nor availed to save Maria Manning from the gallows, or Catherine Hayes from the stake. In our country, and in the present day, the feeling has not only been kept alive, but may be said to have been refined into an obsequious politeness. When women acquire the other rights which they call for, it may be hoped they will not lack the fundamental right of an impartial trial by jury according to the evidence.

15. — *The History of Israel.* By HEINRICH EWALD, Professor at the University of Göttingen. Translated from the German by J. ESTLIN CARPENTER, M. A. Vol. V., corresponding to Vol. IV. of the original. London: Longmans, Green, & Co. 1874. 8vo. pp. viii, 520.

In October, 1872, we noticed Ewald's great work, and the first four volumes of the translation. This fifth volume is the history of Ezra, and of the Hagiocracy in Israel to the time of Christ.

The New Jerusalem hopefully began a period of reaction in Jewish history which failed to save the nation. It is pathetic to begin the era with Ezra, and end it with Herod. In Ezra's time there was no scruple against accepting the honest aid of Persian masters; but afterwards, when Roman favor was to be mediated only by an Idumæan politician, faithful Judæans asked of one another, Is it right to be an Herodian? Their temple, to which they would not admit the liberal Samaritans, had not kept Gentile philosophy from their priests, and their priests — an orthodox hagiocracy — were no prophets of what they knew. The law of Moses was reinstated in its old home, but the Mosaic spirit was not in the lawyers. The Persians set up the broken people to hand them over to the Greeks for a brief schooling; and after the Maccabees had proved their worthiness of the traditions of the heroism of their race, the "chosen people" became the prey of adventurers. Ezra's great effort was not in vain, for it gathered and held for five hundred years what strength remained; but as the nation withered under the blight of Herod, it was clear that any attempt to raise what was now not only fallen, but decayed, would be

in vain. So the time had come for an influence more radical than a hagiocracy could conceive, and abounding in forces upon which statesmen could not reckon, but for which they would be obliged to provide. Hitherto Israel had been a mortal power among other governments; henceforth its strength lay in an immortal influence upon its conquerors.

This long failure, and the beginning of this peculiar crisis, are the substance of the present volume.

It is curious to observe how the Jewish nation, considered apart from the fate brought upon it by its enemies from the outside, and regarded from the inside only in the light of political expediency, seems to have contributed to its own ruin by two reactions, — one in its government, and one in its religion. Continued union under the house of David would in the long run probably have served it better than disunion; but the people were uneasy under the taxes, and demagogues found their account in leading a rush towards every man's doing what was right in his own eyes. And in the period before us, when the temple was restored, the best Samaritans were right from their point of view in their petition to unite with the Judæans in the temple-service. Religion in Samaria probably suffered from the confusion of faiths in that region, and the worshippers of the one God needed the support of a recognition from Jerusalem. If old prejudices could have been so far overcome as to yield to the pressing need of a general union, and a national revival of religious sympathy, there might have been a stronger material afterwards for the Maccabees to work with. But of course the standpoint of political expediency alone cannot enable us to understand the Hebrew or any nation. Although the people were united under David and his son and grandson, they were also oppressed, and they rebelled for freedom. Although the Judæans needed a union with the best Samaritans in the age of Ezra, Samaria was full of idolatry, and Ezra had sound political and religious reasons for fearing the effect of such an alliance. He had lived among the heathen. He knew the effect of their influence upon those of his people who stayed behind when he came to the rescue, and he would not risk the dangerous experiment. It is the fashion among some writers, whose almost prophetic ardor for Aryan variety yields only to their scorn for what M. Renan calls the "arid monotheism" of the Semitic genius, to declaim against the bigotry of every period of the life of every people who have believed in the one God. But facts are very cooling in such heats. Here, in Ezra's case, is an instance of the alternative which is so often presented to such believers. Either he must unite with the Samaritans

on sentimental grounds, and run the risk of lowering the faith in the true God to the level of the idolatry that flourished through Samaria ; or he must with whatever regrets reject the proffered friendship, and take the consequences of entire devotion to the sure success of the creed which furnished the best impulse to the national life. Ezra was politically wise as well as religiously faithful when he saw and felt that to attempt an expedient which demanded a surrender in Judæa of the very advantage which it was intended to secure in Samaria was folly, and folly in such a matter was to an Old Testament leader practical atheism. It may be urged that Ezra's policy, instead of preparing a broad and open way for Christianity in Judæa, set up the hagiocracy to oppress the people with the yoke and burden of an arbitrary and unspiritual application of the law, and so far from helping the teaching of Christ, was a root of evils which the gospel had to overcome. But we maintain that, at whatever cost, it was essential to keep the supremacy of the national faith fixed high in the minds of the people, and this would not have been done by a lax policy of fraternization with semi-idolatrous neighbors.

Ezra did not know that there were five hundred years to come before the greatest man of the Hebrew race would "fulfil" the law ; but Ezra did know that unless he and his coadjutors used the remarkable opportunity given them by the heathen, to ensure a perpetuation of the ancient faith in its purity, there was danger that before long there would be at least no record of the law either to fulfil or to destroy. And whatever might be the defects of a system whose chief maxims were, "be circumspect in judgment," "train up many scholars," and "make a hedge around the law," the law and its history, howsoever preserved, were sure to find some minds to appreciate and many lives to obey their real meaning. Ezra was no religious or political fanatic. He was an ecclesiastic and a jurist, and to his common-sense as well as to his depth of faith in the religion of his fathers is due much of that zeal for the old religion which just before the Christian era spread over the West synagogues where the Apostle Paul was afterwards to find a hearing, and stirred hopes in Palestine which were fulfilled by the life of Jesus Christ.

These opinions agree in general with the views given in this volume. We will quote only a few words : "The hagiocracy, then, was the constitution which, immediately on the final liberation, inevitably issued from the great internal transformation which had been so rapidly accomplished by the exile ; and its formation was so necessary and was effected so definitely that, for the whole of the six or seven centuries of its history which yet remained, it maintained itself

essentially unaltered. It is always the focus of the highest efforts of these last ages ; and when it seems from time to time to be fading away, it is only that it may at once reimpress its stamp still more distinctly. Establishing itself at first but slowly and amidst much opposition, it becomes at last the mightiest and most firmly developed power of the age ; as though it were to be the mail-clad body in which the soul of the reawakened community, assembled again in the ancient fatherland, made its final and strongest effort to maintain itself in the isolation in which it was fortifying itself again." (p. 61.) To this Ewald adds a characteristic note, saying : "This and all that follows from it is the decisive feature which absolutely separates this hagiocracy from that of the Papacy. The former was necessary till the time of Christ, for no human power could prevent it ; the latter has now rested for centuries on the simple obstinacy of men and on continued and increasing culpability."

The history of Herod's remarkable career is well told, and the discussions of his abilities and character are very interesting. There is a striking account of his relations with the hagiocracy : "The hagiocracy was not openly and fundamentally contradicted by Herod, although he had at heart no honor for it, and in some cases even transgressed many of its prescriptions. But it was unable to make him a better and holier man than he was ; it had allowed him to grow up with this nature, and during the thirty-four years of his reign it had not the smallest power to improve him, or make any deeper impression upon him. For it is its peculiar danger to encourage the outward veneration of an old-established religion, which is not, however, understood in its real depth or applied in all its vitality. What was only, therefore, a characteristic possibility in the shape offered by the hagiocracy, was hardened in Herod into the most terrible sin ; and if it was the guilt of this particular individual to have given practical shape to this offence, the hagiocracy, by the mere fact of its tolerance of him and its inability to arouse any fundamental opposition to him, or even for the sake of outward tranquillity to dispense with him, revealed its own great weakness and helplessness. . . . The hagiocracy had already begun to show under the Asmoneans that it was precisely the strongest party in the state which it was least able to sanctify : it now reveals the same incapacity still more incontestably, nay, in the most striking instance possible." (pp. 421, 422.)

An Index is appended which renders more accessible the vast quantity of historical information which the volume contains upon many topics not in the scope of a dictionary of the Bible.